REMARKS

The last Office Action has been carefully considered.

It is noted that claims 1-3, 8, 11 and 19 are rejected under 35 U.S.C. 102(b) over the patent to Atkin.

After carefully considering the Examiner's grounds for the rejection of the claims over the art, applicants have amended the claims to more clearly define the present invention and to distinguish it from the prior art.

Before the analysis of the prior art, it is believed to be advisable to analyze claim 1, the broadest claim on file, and explain the new features of the present invention which are now defined in this claim.

Claim 1 defines an electric hand tool with a machine housing, an electric motor located in it and driving a tool, and a fan wheel accommodated in the housing for generating a main cooling air current. The main cooling air current flows from the main air inlet 18 to a main air outlet 19 through the machine housing 11, and the fan wheel creates a suction space 22 and a pressure space 23 on opposite sides when it rotates. In

accordance with the present invention, additional means for generating an additional air current are provided and configured such that the additional air current flows onto at least one machine component that is located either outside of the main cooling air current or in a low-flow region of the main cooling air current.

In accordance with one embodiment of the present invention, the means for generating an additional air current is formed by an additional air inlet opening 24 in the wall of the machine housing 11 close at or adjacent to the fan wheel. This additional opening is surplus to the prior art openings 18 which constitute the main air inlet as shown in Figure 6, in the rear end of the housing, far away from the fan wheel located in the front end of the housing. The additional and cold air from outside is sucked into the housing and led directly to dead zones, as for example to the winding head to take away the heat there, before going to the fan wheel and being blown out of the tool.

In accordance with other embodiments the means for generating an additional air current are formed by air openings/passages 25 within the fan wheel shown in Figure 2 to lead separated cooling air to "dead zones", or as air guiding means 40, 41 shown in Figures 5 and 6 which lead

the cooling air to usual dead zones, or turbulence-generating elements 42 shown in Figures 3 and 8.

It is believed to be clear that in the electric hand tool of the present invention there means, which are separate and independent from means for generating a main cooling air current and which are operative for generating an additional air current, which additional air current is provided additionally to the main cooling air current that flows from the main air inlet 18 to the main air outlet 19 through the machine housing and is generated by the fan wheel 21 creating suction and pressure spaces 22, 23.

Turning now to the references and in particular to the patent to Atkins, it can be seen that this reference discloses a motor driven tool. The Examiner correctly identified some components of the tool and specified that a cooling air current is generated and flows through the machine housing, with a fan wheel creating suction and pressure spaces. However, Atkins does not teach the new features of the present invention.

In the motor driven tool disclosed in the patent to Atkins a main cooling air current is generated by the fan and flows from a main air inlet 42 to main air outlets 41. An additional air current, which is different from the main cooling air current flowing from the air inlet 42 to the air outlets 41, is

not generated in the motor driven tool disclosed in the patent to Atkins and no means are provided for generating such additional air current.

It is therefore believed to be clear that the new features of the present invention which are now defined in the amended claim 1 are not disclosed in this reference.

The original claims were rejected over the reference under 35 U.S.C. 102(b). In connection with this, it is believed to be advisable to cite the decision in re Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 221 USPQ 481, 485 (Fed. Cir. 1984) in which it was stated:

> "Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim."

Definitely, the patent to Atkins does not disclose each and every element of the present invention as now defined in the amended claim 1. Therefore, the anticipation rejection applied by the Examiner against the original claims should be considered as no longer tenable and should be withdrawn.

Claim 1 should be considered as patentably distinguishing over the art and should be allowed.

As for the dependent claims, these claims depend on claim 1, they share its presumably allowable features, and therefore it is respectfully submitted that they should be allowed.

Reconsideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,

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